IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4387 OF 2006
ALONGWITH
CRIMINAL APPLICATION NO.4388 OF 2006

Mr. Manmohan Singh .. Applicant
v/s.
State of Maharashtra and another .. Respondents

Mr. Abhay Nevagi with Mr. K.T. Thomas i/by Mr. Jaspal Thakur for the applicant.
Mr. D.R. More, APP for the State.

CORAM : B.H. MARLAPALLE, J.
DATED : 8TH AUGUST, 2007

P.C.

Heard Mr.Abhay Nevagi with Mr. K.T. Thomas, learned counsel for the applicant in both the applications.

2. The parties are the same and the grievance also is same and hence both the applications are disposed of by the common order.

3. In SCC 355/2003 and SCC 373/2003, the learned Magistrate was pleased to pass an order issuing non-bailable warrant against the applicant on the ground that the applicant had failed to remain present before the trial court on 16.11.2006.It appears that on 9.11.2006, an application was moved by the learned advocate for the applicant for exemption on medical ground and the said application was rejected by the trial court on the same day. It was, therefore, necessary for the applicant to remain present before the court on the next date i.e. on 10.11.2006. However, as the applicant could not remain present on the said date, the extreme step of issuing non-bailable warrant was resorted to by

the trial court.

4. The learned counsel on instructions states that both the complaints are listed before the trial court on 17th August, 2007 and he undertakes that the applicant shall remain present before the trial court on that date. The undertaking is noted and accepted.

5. In view of this, the applicant is directed to remain present before the trial court on 17th August, 2007 and on his undertaking that he shall remain present on the said date before the trial court, the impugned non-bailable warrants are hereby stayed upto 17th August, 2007. The applicant may appear before the trial court on 17th August, 2007 or any date before the said date and apply for cancellation of the non-bailable warrants.

The application disposed of in terms of the above directions.

(B.H. MARLAPALLE, J.)